REMARKS

Status of Claims:

New claims 21-24 are added. Thus, claims 1-24 are present for examination.

Interview with Examiner:

Applicant expresses appreciation to the Examiner for the courtesy of the interview on January 26, 2006. The following individuals participated in the interview: (i) Examiner England; (ii) David Blumenthal, Attorney for Applicant; and (iii) Justin Sobaje, Attorney for Applicant. No exhibit was shown and no demonstrations were conducted.

During the interview, we discussed claims, including claim 1. Also, we discussed the Huang et al. reference (U.S. Patent No. 6,438,576). In particular, we pointed out distinctions between embodiments of claim 1 and the Huang reference in that embodiments of claim 1 allow for monitoring a residual amount of memory capacity in a client. The Examiner stated that even though the client device of Huang only notifies a total size of graphics memory to a proxy server, the client device of Huang may determine the total size of graphics memory upon system initialization when the graphics memory is empty. Applicant pointed out that Huang does not mention determining the total size of graphics memory upon system initialization.

The Examiner stated that amending the claims to include the concept of **periodically** monitoring the residual amount of memory capacity in the client would cause the claims to <u>easily overcome the Huang reference</u>. Applicant appreciated such an indication from the Examiner.

Claim Rejections:

Claims 1, 8-10, 12-14, and 16-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Huang et al. (U.S. Patent No. 6,438,576) (hereinafter Huang).

Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Britton et al. (U.S. Patent No. 6,681,380) (hereinafter Britton). Claims 5-7 are

rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Gauvin et al. (U.S. Patent No. 6,061,686) (hereinafter Gauvin). Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Eerola (U.S. Patent No. 6,678,518).

Claims 12, 16, 17, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Ferguson (U.S. Patent No. 6,769,019). Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang and Ferguson in view of Britton. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang and Ferguson in view of Gauvin. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang and Ferguson in view of Eerola.

With respect to claims 1-20, the rejections are respectfully traversed.

Independent claim 1, as amended, recites an object filtering method for filtering an object, the object requested by a client from a server, the client accessing the server through a proxy server during a session, the method comprising:

> "**periodically** monitoring a <u>residual amount</u> of memory capacity in the client during said session to provide a <u>plurality of monitoring results,</u> said residual amount of memory capacity being an amount of unused memory capacity in the client that is free to accept data received by the client;
>
> notifying a filtering condition from the client to said proxy server in accordance with at least one of the plurality of monitoring results; and
>
> filtering the object by said proxy server in accordance with the filtering condition thus notified." (Emphasis Added).

Huang neither discloses nor suggests an object filtering method including the above-quoted features. In the interview with the Examiner on January 26, 2006, the Examiner indicated that amending the claims to include the concept of **periodically** monitoring the residual amount of memory capacity in the client would cause the claims to <u>easily overcome the Huang reference.</u> Independent claim 1 has been amended in accordance with the Examiner's suggestion to include the feature of **periodically** monitoring the residual amount of memory capacity in the client.

Therefore, independent claim 1, as amended, is neither disclosed nor suggested by the Huang reference and, hence, is believed to be allowable.

Independent claim 12, as amended, recites a client device for accessing a server through a proxy server during a session to request a desired object from the server, the client device comprising:

> "control means for controlling an access to said proxy server to acquire the object; and

> memory means for storing the object,

> wherein said control means is configured to **periodically** monitor a residual amount of memory capacity of said memory means during said session, said residual amount of memory capacity being an amount of unused memory capacity of the memory means that is free to accept data received by the client device; and

> wherein, when said control means detects that said residual amount of memory capacity of said memory means is equal to a predetermined residual amount or less, said control means **notifies** to said proxy server a **filtering condition** of the object transmitted to the client device." (Emphasis Added).

Neither Huang nor Ferguson, alone or in combination, disclose or suggest a client device including the above-quoted features. A client device including the above-quoted features has features similar to features of an object filtering method of independent claim 1 and, thus, is believed to be distinguished from the Huang reference for at least the same reasons indicated above with respect to claim 1. Furthermore, the teaching of Ferguson does not cure the deficiencies with respect to the teaching of Huang.

The Examiner states that, "Ferguson teaches detecting that a residual amount of memory of said memory unit is equal to a predetermined residual amount or less said controller notifies to said proxy server a filtering condition for filtering the object, (e.g. col. 10, line 61 – col. 11, line 50)." (Office Action; page 9) (Emphasis Added).

However, the system of Ferguson is concerned with downloading webpages in the background during idle times and **not** with notifying **filtering conditions** to a proxy server for filtering objects. (Ferguson; abstract). In the system of Ferguson, a user sets the capacity

of a local cache through an options menu. (Ferguson; column 7, lines 19-26). Then, when the system of Ferguson is downloading data in the background, the cache manager 410 determines the <u>feasibility</u> of a new download, i.e., whether the current cache consumption is within the threshold of the total cache capacity. (Ferguson; column 11, lines 11-18). If a "Cache Full" condition is detected, the invention of Ferguson prompts a user with options. (Ferguson; column 11, lines 16-18). As illustrated in FIG. 17 of Ferguson and explained at column 11, lines 19-50 and column 27, line 45 to column 28, line 20 of Ferguson, the options that are presented to the user when there is a "Cache Full" condition in the system of Ferguson are:

(A) "Cancel all flags on your Q-Links", which invokes an **auto-deletion** mechanism to generate cache space by unflagging all Q-links and **automatically deleting** cached Q-links and associated web pages by date in the order of oldest link and associated web page to newest link and associated web page, so as to <u>make room</u> in the local cache for newly selected Q-links; (Ferguson; column 27, lines 45-62);

(B) "Go through Q-links and cancel selected flags", which allows the user to select which cached Q-links and associated web pages to **delete** from the local cache; (Ferguson; column 27, line 62 to column 28, line 2);

(C) "Increase your storage limit", which allows the user to **change the capacity** of the local cache; (Ferguson; column 28, lines 2-17); and

(D) "Ignore this message, and return to browser", which ignores the cache full condition and returns to the browser. (Ferguson; column 28, lines 18-20).

Thus, <u>none</u> of the options presented to the user for the "Cache Full" condition in the system of Ferguson allow for notifying to a <u>proxy server</u> a **filtering condition** for <u>filtering an object</u>. (Ferguson; FIG. 17; column 11, lines 19-50; column 27, line 45 to column 28, line 20).

As a consequence, <u>even if</u> the system of Huang were combined with the system of Ferguson, the combined system would still <u>not</u> include a control means that is configured to **periodically** monitor a <u>residual amount</u> of memory capacity of a memory means during a session, wherein, when the control means detects that the residual amount of memory capacity of the memory means is equal to a predetermined residual amount or less, the control means **notifies** to a <u>proxy server</u> a **filtering condition** of an object transmitted to a client device. Instead, the combined system of Huang and Ferguson would merely allow for a total <u>size of graphics memory</u> of a client device to be transmitted to a proxy for filtering objects as in Huang, and separately allow for "Cache Full" conditions of a local cache used for storing downloaded web pages to result in either web pages being **deleted** from a local cache or in a <u>capacity of the local cache being changed</u> as in Ferguson. (Huang; column 5, lines 42-65) (Ferguson; FIG. 17; column 11, lines 19-50; column 27, line 45 to column 28, line 20). A "Cache Full" condition in a combined system of Huang and Ferguson would have **no affect** on a **filtering condition**, because Huang merely uses a total size of graphics memory for a filtering condition, and Ferguson does <u>not</u> notify a filtering condition to a proxy server based on a "Cache Full" condition. (Huang; column 5, lines 42-65) (Ferguson; FIG. 17; column 11, lines 19-50; column 27, line 45 to column 28, line 20).

Therefore, independent claim 12, as amended, is neither disclosed nor suggested by the Huang and Ferguson references and, hence, is believed to be allowable. The Patent Office has <u>not</u> made out a *prima facie* case of obviousness under 35 U.S.C. 103.

Independent claim 19, as amended, recites a client device with features similar to features of a client device of independent claim 12 and, thus, is believed to be allowable for at least the same reasons that independent claim 12 is believed to be allowable.

The dependent claims are deemed allowable for at least the same reasons indicated above with regard to the independent claims from which they depend.

It is also noted that, with regard to dependent claim 2-4, Britton does <u>not</u> cure the deficiencies with respect to the teaching of Huang discussed above. With regard to dependent claims 5-7, Gauvin does <u>not</u> cure the deficiencies with respect to the teaching of Huang

-10-

discussed above. With regard to dependent claim 11, Eerola does <u>not</u> cure the deficiencies with respect to the teaching of Huang discussed above. With regard to dependent claims 13-14, Britton does <u>not</u> cure the deficiencies with respect to the teachings of Huang and Ferguson discussed above. With regard to dependent claim 15, Gauvin does <u>not</u> cure the deficiencies with respect to the teachings of Huang and Ferguson discussed above. With regard to dependent claim 18, Eerola does <u>not</u> cure the deficiencies with respect to the teachings of Huang and Ferguson discussed above.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

LACA_725156.2

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date ___ March 9, 2006 ___   By ___ *[signature]* ___

FOLEY & LARDNER LLP   Justin M. Sobaje
Customer Number: 22428   Attorney for Applicant
Telephone: (310) 975-7965   Registration No. 56,252
Facsimile: (310) 557-8475